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S. 641

To provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

IN THE SENATE OF THE UNITED STATES

MARCH 17, 2011

Mr. DURBIN (for himself, Mr. CORKER, Mr. REID, Mr. ROBERTS, Mr. CARDIN, Mr. ISAKSON, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Senator Paul Simon
5 Water for the World Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The Senator Paul Simon Water for the
2 Poor Act of 2005 (Public Law 109–121)—

3 (A) makes access to safe water and sanita-
4 tion for developing countries a specific policy
5 objective of United States foreign assistance
6 programs;

7 (B) requires the Secretary of State to—

8 (i) develop a strategy to elevate the
9 role of water and sanitation policy; and

10 (ii) improve the effectiveness of
11 United States assistance programs under-
12 taken in support of that strategy;

13 (C) codifies Target 10 of the United Na-
14 tions Millennium Development Goals; and

15 (D) seeks to reduce by half between 1990
16 (the baseline year) and 2015—

17 (i) the proportion of people who are
18 unable to reach or afford safe drinking
19 water; and

20 (ii) the proportion of people without
21 access to basic sanitation.

22 (2) On December 20, 2006, the United Nations
23 General Assembly, in GA Resolution 61/192, de-
24 clared 2008 as the International Year of Sanitation,
25 in recognition of the impact of sanitation on public

1 health, poverty reduction, economic and social devel-
2 opment, and the environment.

3 (3) On August 1, 2008, Congress passed H.
4 Con. Res. 318, which—

5 (A) supports the goals and ideals of the
6 International Year of Sanitation; and

7 (B) recognizes the importance of sanitation
8 on public health, poverty reduction, economic
9 and social development, and the environment.

10 (4) While progress is being made on safe water
11 and sanitation efforts—

12 (A) more than 884,000,000 people
13 throughout the world lack access to safe drink-
14 ing water; and

15 (B) 2 of every 5 people in the world do not
16 have access to basic sanitation services.

17 (5) The health consequences of unsafe drinking
18 water and poor sanitation are significant, accounting
19 for—

20 (A) nearly 10 percent of the global burden
21 of disease; and

22 (B) more than 2,000,000 deaths each year.

23 (6) Water scarcity has negative consequences
24 for agricultural productivity and food security for
25 the 1,200,000,000 people who, as of 2010, suffer

1 from chronic hunger and seriously threatens the
2 ability of the world to more than double food pro-
3 duction to meet the demands of a projected popu-
4 lation of 9,000,000,000 people by 2050.

5 (7) According to the November 2008 report en-
6 titled, “Global Trends 2025: A Transformed World”,
7 the National Intelligence Council expects rapid ur-
8 banization and future population growth to exacer-
9 bate already limited access to water, particularly in
10 agriculture-based economies.

11 (8) According to the 2005 Millennium Eco-
12 system Assessment, commissioned by the United Na-
13 tions, more than $\frac{1}{5}$ of the world population relies on
14 freshwater that is either polluted or excessively with-
15 drawn.

16 (9) The impact of water scarcity on conflict and
17 instability is evident in many parts of the world, in-
18 cluding the Darfur region of Sudan, where demand
19 for water resources has contributed to armed conflict
20 between nomadic ethnic groups and local farming
21 communities.

22 (10) In order to further the United States con-
23 tribution to safe water and sanitation efforts, it is
24 necessary to—

1 (A) expand foreign assistance capacity to
2 address the challenges described in this section;
3 and

4 (B) represent issues related to water and
5 sanitation at the highest levels of United States
6 foreign assistance and diplomatic deliberations,
7 including those related to issues of global
8 health, food security, the environment, global
9 warming, and maternal and child mortality.

10 **SEC. 3. SENSE OF CONGRESS.**

11 It is the sense of Congress that the United States
12 should help undertake a global effort to bring sustainable
13 access to clean water and sanitation to poor people
14 throughout the world.

15 **SEC. 4. PURPOSE.**

16 The purpose of this Act is—

17 (1) to enable first-time access to safe water and
18 sanitation, on a sustainable basis, for 100,000,000
19 people in high priority countries (as designated
20 under section 6(f) of the Senator Paul Simon Water
21 for the Poor Act of 2005 (22 U.S.C. 2152h note))
22 within 6 years of the date of enactment of this Act
23 through direct funding, development activities, and
24 partnerships; and

1 (2) to enhance the capacity of the United
 2 States Government to fully implement the Senator
 3 Paul Simon Water for the Poor Act of 2005 (Public
 4 Law 109–121).

5 **SEC. 5. DEVELOPING UNITED STATES GOVERNMENT CA-**
 6 **PACITY.**

7 Section 135 of the Foreign Assistance Act of 1961
 8 (22 U.S.C. 2152h) is amended by adding at the end the
 9 following:

10 “(e) SENIOR ADVISOR FOR WATER.—

11 “(1) IN GENERAL.—To carry out the purposes
 12 of subsection (a), the Administrator of the United
 13 States Agency for International Development shall
 14 designate a senior advisor to coordinate and conduct
 15 the activities described in this section and the Sen-
 16 ator Paul Simon Water for the Poor Act of 2005
 17 (Public Law 109–121). The Advisor shall report di-
 18 rectly to the Administrator and be known as the
 19 ‘Senior Advisor for Water’. The initial Senior Advi-
 20 sor for Water shall be the individual serving as the
 21 USAID Global Water Coordinator as of the date of
 22 the enactment of the Senator Paul Simon Water for
 23 the World Act of 2010.

24 “(2) DUTIES.—The Advisor shall—

1 “(A) implement this section and the Sen-
2 ator Paul Simon Water for the Poor Act of
3 2005 (Public Law 109–121);

4 “(B) develop and oversee implementation
5 in high priority countries of country-specific
6 water strategies and expertise, in coordination
7 with appropriate United States Agency for
8 International Development Mission Directors,
9 to enable the goal of providing 100,000,000 ad-
10 ditional people with sustainable access to safe
11 water and sanitation through direct funding,
12 development activities, and partnerships within
13 6 years of the date of the enactment of the Sen-
14 ator Paul Simon Water for the World Act of
15 2011; and

16 “(C) place primary emphasis on providing
17 safe, affordable, and sustainable drinking water,
18 sanitation, and hygiene in a manner that—

19 “(i) is consistent with sound water re-
20 source management principles; and

21 “(ii) utilizes such approaches as direct
22 service provision, capacity building, institu-
23 tional strengthening, regulatory reform,
24 and partnership collaboration; and

1 “(D) integrate water strategies with coun-
2 try-specific or regional food security strategies.

3 “(3) CAPACITY.—The Advisor shall be des-
4 ignated appropriate staff and may utilize inter-
5 agency details or partnerships with universities, civil
6 society, and the private sector, as needed, to
7 strengthen implementation capacity.

8 “(4) FUNDING SOURCES.—The Advisor shall
9 ensure that at least 25 percent of the overall fund-
10 ing necessary to meet the global goal set forth under
11 paragraph (2)(B) is provided by non-Federal
12 sources, including foreign governments, international
13 institutions, and through partnerships with univer-
14 sities, civil society, and the private sector, including
15 private and corporate foundations.

16 “(f) SPECIAL COORDINATOR FOR INTERNATIONAL
17 WATER.—

18 “(1) ESTABLISHMENT.—To increase the capac-
19 ity of the Department of State to address inter-
20 national issues regarding safe water, sanitation, in-
21 tegrated river basin management, and other inter-
22 national water programs, the Secretary of State
23 shall establish a Special Coordinator for Inter-
24 national Water (referred to in this subsection as the
25 ‘Special Coordinator’), who shall report to the Under

1 Secretary for Democracy and Global Affairs. The
2 initial Special Coordinator shall be the individual
3 serving as Special Coordinator for Water Resources
4 as of the date of the enactment of the Senator Paul
5 Simon Water for the World Act of 2011.

6 “(2) DUTIES.—The Special Coordinator shall—

7 “(A) oversee and coordinate the diplomatic
8 policy of the United States Government with re-
9 spect to global freshwater issues, including
10 interagency coordination related to—

11 “(i) sustainable access to safe drink-
12 ing water, sanitation, and hygiene;

13 “(ii) integrated river basin and water-
14 shed management;

15 “(iii) global food security;

16 “(iv) transboundary conflict;

17 “(v) agricultural and urban produc-
18 tivity of water resources;

19 “(vi) disaster recovery, response, and
20 rebuilding;

21 “(vii) pollution mitigation; and

22 “(viii) adaptation to hydrologic change
23 due to climate variability; and

24 “(B) ensure that international freshwater
25 issues are represented—

1 “(i) within the United States Govern-
2 ment; and

3 “(ii) in key diplomatic, development,
4 and scientific efforts with other nations
5 and multilateral organizations.

6 “(3) SUPPORT STAFF.—The Special Coordi-
7 nator shall be designated appropriate staff to sup-
8 port the duties described in paragraph (2).”.

9 **SEC. 6. SAFE WATER, SANITATION, AND HYGIENE STRAT-**
10 **EGY.**

11 Section 6 of the Senator Paul Simon Water for the
12 Poor Act of 2005 (22 U.S.C. 2152h note) is amended—

13 (1) in subsection (b), by adding at the end the
14 following: “The Special Coordinator for Inter-
15 national Water established under section 135(f) of
16 the Foreign Assistance Act of 1961 (22 U.S.C.
17 2152h(f)) shall take actions to ensure that the safe
18 water and sanitation strategy is integrated into any
19 review or development of a Federal strategy for
20 global development, global health, or global food se-
21 curity that sets forth or establishes the United
22 States mission for global development, guidelines for
23 assistance programs, and how development policy
24 will be coordinated with policies governing trade, im-
25 migration, and other relevant international issues.”;

1 (2) in subsection (c), by adding at the end the
2 following: “In developing the program activities
3 needed to implement the strategy, the Secretary
4 shall consider the results of the assessment de-
5 scribed in subsection (e)(9).”; and

6 (3) in subsection (e)—

7 (A) in paragraph (5), by striking “and” at
8 the end;

9 (B) in paragraph (6), by striking the pe-
10 riod at the end and inserting a semicolon; and

11 (C) by adding at the end the following:

12 “(7) an assessment of all United States Govern-
13 ment foreign assistance allocated to the drinking
14 water and sanitation sector during the 3 previous
15 fiscal years, across all United States Government
16 agencies and programs, including an assessment of
17 the extent to which the United States Government’s
18 efforts are reaching and supporting the goal of ena-
19 bling first-time access to safe water and sanitation
20 on a sustainable basis for 100,000,000 people in
21 high priority countries;

22 “(8) recommendations on what the United
23 States Government would need to do to achieve and
24 support the goals referred to in paragraph (7), in

1 support of the United Nation’s Millennium Develop-
 2 ment Goal on access to safe drinking water; and

3 “(9) an assessment of best practices for mobi-
 4 lizing and leveraging the financial and technical ca-
 5 pacity of business, governments, nongovernmental
 6 organizations, and civil society in forming public-pri-
 7 vate partnerships that measurably increase access to
 8 safe, affordable, drinking water and sanitation.”.

9 **SEC. 7. DEVELOPING LOCAL CAPACITY.**

10 The Senator Paul Simon Water for the Poor Act of
 11 2005 (Public Law 109–121) is amended—

12 (1) by redesignating sections 9, 10, and 11 as
 13 sections 10, 11, and 12, respectively; and

14 (2) by inserting after section 8 the following:

15 **“SEC. 9. WATER AND SANITATION INSTITUTIONAL CAPAC-
 16 ITY-BUILDING PROGRAM.**

17 **“(a) ESTABLISHMENT.—**

18 **“(1) IN GENERAL.—**The Secretary of State and
 19 the Administrator of the United States Agency for
 20 International Development (referred to in this sec-
 21 tion as the ‘Secretary’ and the ‘Administrator’ ‘, re-
 22 spectively), in consultation with host country institu-
 23 tions, the Centers for Disease Control and Preven-
 24 tion, the Department of Agriculture, and other agen-
 25 cies, as appropriate, shall establish, in coordination

1 with mission directors in high priority countries, a
2 program to build the capacity of host country insti-
3 tutions and officials responsible for water and sani-
4 tation in countries that receive assistance under sec-
5 tion 135 of the Foreign Assistance Act of 1961, in-
6 cluding training at appropriate levels, to—

7 “(A) provide affordable, equitable, and sus-
8 tainable access to safe drinking water and sani-
9 tation;

10 “(B) educate the populations of such coun-
11 tries about the dangers of unsafe drinking
12 water and lack of proper sanitation; and

13 “(C) encourage behavior change to reduce
14 individuals’ risk of disease from unsafe drinking
15 water and lack of proper sanitation and hy-
16 giene.

17 “(2) EXPANSION.—The Secretary and the Ad-
18 ministrator may establish the program described in
19 this section in additional countries if the receipt of
20 such capacity building would be beneficial for pro-
21 moting access to safe drinking water and sanitation,
22 with due consideration given to good governance.

23 “(3) CAPACITY.—The Secretary and the Ad-
24 ministrator—

1 “(A) should designate appropriate staff
2 with relevant expertise to carry out the strategy
3 developed under section 6; and

4 “(B) may utilize, as needed, interagency
5 details or partnerships with universities, civil
6 society, and the private sector to strengthen im-
7 plementation capacity.

8 “(b) DESIGNATION.—The United States Agency for
9 International Development Mission Director for each
10 country receiving a ‘high priority’ designation under sec-
11 tion 6(f) and for each region containing a country receiv-
12 ing such designation shall report annually to Congress on
13 the status of—

14 “(1) designating safe drinking water and sani-
15 tation as a strategic objective;

16 “(2) integrating the water strategy into a food
17 security strategy;

18 “(3) assigning an employee of the United
19 States Agency for International Development as in-
20 country water and sanitation manager to coordinate
21 the in-country implementation of this Act and sec-
22 tion 135 of the Foreign Assistance Act of 1961 (22
23 U.S.C. 2152h) with host country officials at various
24 levels of government responsible for water and sani-

1 tation, the Department of State, and other relevant
 2 United States Government agencies; and

3 “(4) coordinating with the Development Credit
 4 Authority and the Global Development Alliance to
 5 further the purposes of this Act.”.

6 **SEC. 8. OTHER ACTIVITIES SUPPORTED.**

7 In addition to the requirements of section 135(c) of
 8 the Foreign Assistance Act (22 U.S.C. 2152h(c)) the Ad-
 9 ministrators should—

10 (1) foster global cooperation on research and
 11 technology development, including regional partner-
 12 ships among water experts to address safe drinking
 13 water, sanitation, water resource management, and
 14 other water-related issues;

15 (2) establish regional and cross-border coopera-
 16 tive activities between scientists and specialists that
 17 work to share technologies and best practices, miti-
 18 gate shared water challenges, foster international co-
 19 operation, and defuse cross-border tensions;

20 (3) provide grants through the United States
 21 Agency for International Development to foster the
 22 development, dissemination, and increased and con-
 23 sistent use of low-cost and sustainable technologies,
 24 such as household water treatment, hand washing
 25 stations, and latrines, for providing safe drinking

1 water, sanitation, and hygiene that are suitable for
2 use in high priority countries, particularly in places
3 with limited resources and infrastructure;

4 (4) in collaboration with the Centers for Dis-
5 ease Control and Prevention, Department of Agri-
6 culture, the Environmental Protection Agency, the
7 National Oceanic and Atmospheric Administration,
8 and other agencies, as appropriate, conduct forma-
9 tive and operational research and monitor and evalu-
10 ate the effectiveness of programs that provide safe
11 drinking water and sanitation; and

12 (5) integrate efforts to promote safe drinking
13 water, sanitation and hygiene with existing foreign
14 assistance programs, as appropriate, including ac-
15 tivities focused on food security, HIV/AIDS, ma-
16 laria, tuberculosis, maternal and child health, food
17 security, and nutritional support.

18 **SEC. 9. MONITORING AND EVALUATION.**

19 (a) SENSE OF CONGRESS.—It is the sense of the Con-
20 gress that—

21 (1) achieving United States foreign policy objec-
22 tives requires the consistent and systematic evalua-
23 tion of the impact of United States foreign assist-
24 ance programs and analysis on what programs work
25 and why, when, and where they work;

1 (2) the design of assistance programs and
2 projects should include the collection of relevant
3 baseline data required to measure outcomes and im-
4 pacts;

5 (3) the design of assistance programs and
6 projects should reflect the knowledge gained from
7 evaluation and analysis;

8 (4) a culture and practice of high-quality eval-
9 uation should be revitalized at agencies managing
10 foreign assistance programs, which requires that the
11 concepts of evaluation and analysis are used to in-
12 form policy and programmatic decisions, including
13 the training of aid professionals in evaluation design
14 and implementation;

15 (5) the effective and efficient use of funds can-
16 not be achieved without an understanding of how
17 lessons learned are applicable in various environ-
18 ments and under similar or different conditions; and

19 (6) project evaluations should be used as
20 sources of data when running broader analyses of
21 development outcomes and impacts.

22 (b) COORDINATION AND INTEGRATION.—To the ex-
23 tent possible, the Administrator shall coordinate and inte-
24 grate evaluation of United States water programs with the
25 learning, evaluation, and analysis efforts of the United

1 States Agency for International Development aimed at
 2 measuring development impact.

3 **SEC. 10. UPDATED REPORT REGARDING WATER FOR PEACE**
 4 **AND SECURITY.**

5 Section 11(b) of the Senator Paul Simon Water for
 6 the Poor Act of 2005, as redesignated by section 7, is
 7 amended by adding at the end the following: “The report
 8 submitted under this subsection shall include an assess-
 9 ment of current and likely future political tensions over
 10 water sources and multidisciplinary assessment of the ex-
 11 pected impacts of changes to water supplies and agricul-
 12 tural productivity in 10, 25, and 50 years.”.

13 **SEC. 11. COMPTROLLER GENERAL REPORT ON EFFECTIVE-**
 14 **NESS AND EFFICIENCY OF UNITED STATES**
 15 **EFFORTS TO PROVIDE SAFE WATER AND**
 16 **SANITATION FOR DEVELOPING COUNTRIES.**

17 (a) REPORT REQUIRED.—Not later than one year
 18 after the date of the enactment of this Act, the Comp-
 19 troller General of the United States shall submit to the
 20 Committee on Foreign Affairs of the House of Representa-
 21 tives and the Committee on Foreign Relations of the Sen-
 22 ate a report on the effectiveness and efficiency of United
 23 States efforts to provide safe water and sanitation for de-
 24 veloping countries.

1 (b) ELEMENTS.—In preparing the report required by
2 subsection (a), the Comptroller General shall, at a min-
3 imum—

4 (1) identify all programs (and respective Fed-
5 eral agencies) in the Federal Government that per-
6 form the mission of providing safe water and sanita-
7 tion for developing countries, including capacity-
8 building, professional exchanges, and other related
9 programs;

10 (2) list the actual costs for the implementation,
11 operation, and support of the individual programs;

12 (3) assess the effectiveness of these programs in
13 meeting their goals;

14 (4) assess the efficiency of these programs com-
15 pared to each other and to programs to provide simi-
16 lar aid performed by nongovernmental organizations
17 and other governments, and identify best practices
18 from this assessment;

19 (5) identify and assess programs that are dupli-
20 cative of each other or of efforts by nongovernmental
21 organizations and other governments;

22 (6) assess whether appropriate oversight of
23 these programs is being conducted by Federal agen-
24 cies, especially in the programs in which Federal

1 agencies are utilizing contractors instead of govern-
2 ment employees to perform this mission; and
3 (7) make such recommendations as the Comp-
4 troller General considers appropriate.

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